

# **CENTRAL VALLEY FLOOD PROTECTION BOARD**

California Natural Resources Agency – State of California

CVFPB Office Location  
3310 El Camino Avenue, Suite 170  
Sacramento, California 95821  
Phone (916) 574-0609 – Fax (916) 574-0682  
<http://www.cvfpb.ca.gov>

## **BOARD MEMBERS**

Bill Edgar, President  
Emma Suarez, Vice President  
Jane Dolan, Secretary  
Joe Countryman  
Clyde Macdonald  
Tim Ramirez  
Mike Villines  
Assembly Member Eduardo García  
Ex Officio  
State Senator Henry Stern, Ex Officio

Leslie Gallagher  
Executive Officer

Kanwarjit (Jit) Dua  
Board Counsel

## **AGENDA**

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### **CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING**

**February 22, 2019 – 9:00 a.m.**

**Sacramento City Hall Building, 1<sup>st</sup> Floor Council Chambers  
915 I Street, Sacramento, CA 95814**

**To view the webcast portion on this meeting, please join us here:  
[http://centralvalleyflood.granicus.com/ViewPublisher.php?view\\_id=2](http://centralvalleyflood.granicus.com/ViewPublisher.php?view_id=2)**

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*NOTE: The Board will consider timed items as close as possible to the listed time, but not before the time specified. Untimed items may be considered in a different order upon determination by the Board President. All items appearing on this agenda may be subject to Board action, whether or not expressly listed as an action item.*

*Members of the public shall be provided an opportunity to address the Board on any agenda item except closed session items. Comments made during the public comment period should be limited to matters within the Board's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7).*

*Background for agenda items is available on the Board website at [www.cvfpb.ca.gov](http://www.cvfpb.ca.gov)*

*Anyone may request a printed copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If reasonable accommodation due to a disability or language assistance is needed, please contact the Office of Work Force Equality at (323) 848-9801 at least one week prior to the meeting.*

**1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS**

**2. ROLL CALL/ESTABLISH A QUORUM** (Water Code § 8560)

**3. APPROVAL OF MINUTES** (Action Item)

- December 14, 2018

**4. REVIEW OF AGENDA**

**5. CONSENT ITEMS** (Action Item)

A. Permit No. 17841-1 Hickman Road Bridge Replacement Project (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 17841-1 to remove and replace the existing Hickman Road Bridge over the Tuolumne River. (Stanislaus County)

B. Permit No. 19321 Union Pacific Railroad (UPRR) Bridge Replacement Project (*Humberto Negrete, Operations Branch, Board Staff*)

Consider approval of Permit No. 19321 to remove and replace the UPRR railroad bridge over Badger Creek, which is a tributary to the Cosumnes River. The project is located approximately 0.5 miles northwest of the Highway 99 and Arno Road junction just north of Galt. (Sacramento County)

**6. PUBLIC COMMENT** (non-agenda items only)

**7. U.S. ARMY CORPS OF ENGINEERS ITEMS** (Information)

A. Success Dam, Tule River, California Spillway Enlargement Project (*Katie Charan, Project Manager, U.S.Army Corps of Engineer*)

Informational briefing regarding an upcoming Amendment to the Project Cooperation Agreement for improvements to the Success Dam related to flood control, agricultural water supply storage, and dam safety assurance.

**8. DEPARTMENT OF WATER RESOURCES ITEMS** (Information)

A. Monthly Report of the Department of Water Resources (*Jon Ericson, Division Chief, Division of Flood Management, Department of Water Resources*)

Department of Water Resources Project Updates and Recent Events

B. Lower Elkhorn Basin Levee Setback Project (*Corey Lasso, Flood Projects Office, Department of Water Resources*)

Informational briefing to provide an update on the status of the Lower Elkhorn Basin Levee Setback Project.

## 9. BOARD ITEMS

- A. American River Common Features 2016 Project Environmental Update (*Itzia Rivera, Board Staff; Miles Claret and Ryan Young, DWR Flood Projects Office*) (Action Item)

Consider approval of Resolution No. 2019-05 to adopt the Reach D, Contract 1, Front Street Stability Berm (Front Street) Project Supplemental Mitigated Negative Declaration (MND); adopt the Supplement to the Mitigation Monitoring and Reporting Plan; and delegate the Executive Officer to execute the Notice of Determination (NOD) approving the Front Street Project.

- B. Permit No. 19307 Eastside Bypass Improvement Project (*Greg Harvey, Acting Chief; Plan Implementation and Compliance Branch*) (Action Item)

### ITEM REMOVED FROM AGENDA

- C. Automatic Board Order Policy (*Preston Shopbell, Board Staff*) (Action Item)

Staff will present the background, effects, and need for an updated policy on Automatic Board Orders. Consider approval of Resolution 2019-04 to update the Board's policy on Automatic Board Orders.

- D. American River Watershed, Folsom Dam Raise Flood Risk Management Project (*Greg Harvey, Board Staff; Vance Cave, Department of Water Resources, Flood Projects Office*) (Information)

Informational Briefing to the Board about the Folsom Dam Raise Project status and the upcoming Project Partnership Agreement.

- E. California Code of Regulations Title 23 update (*Kanwarjit (Jit) Dua, Board Counsel*) (Information)

Informational briefing to the Board on the status of Title 23, Article 8 Standards update to seek adoption of rule - making package for submittal to the Office of Administrative Law.

## 10. EXECUTIVE OFFICER'S REPORT (Documents Submitted for Board Member review)

- A. Update on the Board's Administration
- B. Update on the activities of the Operations Branch
- C. Update on the activities of the Plan Implementation and Compliance Branch
- D. Update on the activities of the Environmental Services and Land Management Branch

## 11. BOARD COMMENTS AND COMMITTEE UPDATES

## 12. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- Board Meeting, March 29, 2019 (Sacramento)
- Executive Committee Meeting, April 11, 2019 (Sacramento)
- Workshop, April 12, 2019 (TBD)

### 13. CLOSED SESSION

- A. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Friends of Putah Creek v. Central Valley Flood Protection Board, Solano County Superior Court Case No. FCS051040. *(Kanwarjit (Jit) Dua, Board Counsel)*
- B. Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board *(Kanwarjit (Jit) Dua, Board Counsel)*
- D. Pursuant to the authority of Government Code section 11126(e)(i). To discuss litigation: Sacramento Area Flood Control Agency v. Ann Sumiko Amioka, et al., Sacramento Superior Court Case No. 34-2018-00245965. *(Kanwarjit (Jit) Dua, Board Counsel)*.
- E. Pursuant to the authority of Government Code section 11126(e)(i). To discuss litigation: Encore Liberty, LLC v. Sacramento San Joaquin Drainage District, Solano Superior Court Case No. FCS052133. *(Kanwarjit (Jit) Dua, Board Counsel)*.
- E. Pursuant to the authority of Government Code section 11126(e)(i). To discuss litigation: Grass Valley Neighbors v. California State Water Resources Control Board, et al., Sacramento Superior Court Case No. 34-2018-80002957. *(Kanwarjit (Jit) Dua, Board Counsel)*.
- F. Pursuant to Government Code Section 11126 (a)(I): Public Employee Performance Evaluations;  
Titles: Executive Officer and Board Counsel.

### 14. CLOSED SESSION REPORT (Action Item)

### 15. ADJOURNMENT